

Planning for Success: Key Components in Developing an Effective Out- Of-Home Placement Plan

September 2015

Requirements of developing a case plan

- Child Welfare Case Management – Within 30 days of opening case management and minimum of every six months
- Child Protection Case Management or OHPP – Within 30 days of opening case management and minimum of every three months

Case Plans

- The written protective services case plan must specify the reasonable efforts for non-Indian children or active efforts for Indian children, made to ensure the child's safety.
- The case plan must specify the actions to be taken by the child, if appropriate, the child's parent(s), guardian, foster parent, or custodian to comply with the order of the court.

Case Plans

- The case plan must be developed after **consultation and participation** by the child, consistent with the child's age and capability, and the child's parent(s), guardian, or custodian, guardian ad litem, and the tribal representative, if the tribe has intervened, and after consultation with any foster parent.
- A copy of the child protection plan must be provided to appropriate members of the family, which has been signed by the appropriate family members and the child protection worker.

Case Plans

- If the appropriate family members do not sign the plan, the child protection worker must document the reason that the family members did not sign the plan.

Courts – Case Plan

The court must review the case plan, and upon approval by the court, the case plan will be incorporated into the court order in cases where a CHIPS is present.

The written child protection plan must include the following:

1. The reasons for the provision of protective services.

Courts – Case Plan

2. Achievable goals of the appropriate members of the family unit to reduce risk of harm to the child, and observable behaviors and timelines that will demonstrate achievement of these Goals.
3. The specific services expected to address the conditions that present harm to the child.
4. Specific tasks to be performed by each appropriate member of the family unit, the child protection worker, and other service providers.

Courts – Case Plan

5. Consequences of failure to comply with the written protective services plan.
6. A projected date for the quarterly reassessment.

Quarterly Reassessment

The child protection worker and the appropriate members of the family unit must meet, at least quarterly, to jointly assess the written protective services plan to:

1. assess the family's progress in achieving goals; and
2. modify goals, behaviors, tasks, and services that have been achieved or found to be inappropriate.

Engagement

- Through demonstrating respect and a sincere interest in partnering with a family, workers will be able to build trust. The combination of respect and trust will be the best tools in maintaining a positive working relationship with a family.
- Engage with parents, including incarcerated parents and parents in other countries.

The following are strategies to achieve this:

- Always maintain a respectful, non-judgmental, supportive tone and behavior.
- Approach a family from a stance of “not-knowing,” as opposed to presenting as an “expert.” Remember, a family is the expert in their own lives.

Cultural competency in family engagement

- Cultural competence is essential in a program that works with families from diverse backgrounds. This diversity encompasses race, ethnicity, language, socio-economic status, sexual orientation, family composition, immigration status, religious background and more. The following are suggestions that will demonstrate to families that they are respected, as well as their cultural background:

Cultural competency continued

- Come from a place of “not knowing” – be honest about lack of knowledge of someone’s life circumstances and culture, and be open to learning from the family about their cultural norms and expectations.
- Ask the family about cultural traditions (e.g., discipline styles, communication between men and women, norms for school attendance).
- Always use a certified interpreter when making the first call to a family for whom English is not their first language, as well as at all subsequent calls and appointments.

Cultural competency continued

- Offer an interpreter if it becomes clear that language is a barrier when first speaking/meeting with a family. Never use children for interpretation during visits.
- Provide written information in the parents' first language, when possible – but understand that some people cannot read even in their first language.
- Be aware of local resources in the community that serve culturally specific groups, as well as missing links in the community for culturally specific needs; be open with families about these missing

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Incarcerated Parents:

- Case planning can be a challenge when working with families where a parent is incarcerated;
- Engagement in case planning
- Distance and availability
- Lack of services in facilities: chemical dependency, domestic violence, and mental health needs.

Children age 14 and older

- **Age 14 +:** Individualized planning must be guided by a comprehensive assessment of life skills youth need for their current and future well-being.
- **Activity:** Complete an assessment of life skill areas to highlight strengths, areas of challenge, and the identified needs the youth wants to pursue. Use the information to develop the Independent Living Plan (ILP).
- **DHS Recommends:** The Casey Life Skills Assessment (CLSA) full-length assessment tool, available at www.caseylifeskills.org.
- **Reassessment:** Done yearly or as often as needed to determine progress and additional needs and skills. Use the information to update the ILP.

Minn. Statutes section 260C.212 subd.1 (c) (11):
Required for all youth in foster care at age 14/older to
address the following objectives:

- Educational, vocational or employment planning
- Health care planning and medical coverage
- Transportation, including where appropriate, assist in obtaining a driver's license
- Money management, ensuring that the youth annually receives, at no cost, a consumer report
- Planning for housing
- Social and recreational skills
- Establishing and maintaining connections with family and community
- Regular opportunities to engage in age or developmentally appropriate activities typical for their age group and considers the capacity of the individual child

Court review: 260C.203 (d)

- When a child is age 14 or older, in addition to any administrative review conducted by the agency, at the in-court review required under section [260C.317](#), subdivision 3, clause (3), or [260C.515, subdivision 5](#) or 6, the court shall review the independent living plan required under section [260C.212](#), subdivision 1, paragraph (c), clause (11), and the provision of services to the child related to the well-being of the child as the child prepares to leave foster care. The review shall include the actual plans related to each item in the plan necessary to the child's future safety and well-being when the child is no longer in foster care.

Minn. Statutes sections 260C.203 (e)

- (2) consistent with the requirements of the ILP, the court shall review progress toward/accomplishment of the following goals:
- The youth has/is:
 - (i) obtained a high school diploma/equivalent;
 - (ii) completed a driver's education course or demonstrated the ability to use public transportation in the community;
 - (iii) employed or enrolled in postsecondary education;
 - (iv) applied for and obtained postsecondary education financial aid for which the child is eligible;

Minn. Statutes sections 260C.203 (e)

- (v) health care coverage and health care providers to meet their physical and mental health needs;
- (vi) applied for and obtained disability income assistance for which the child is eligible;
- (vii) obtained affordable housing with necessary supports, which does not include a homeless shelter;
- (viii) saved sufficient funds to pay for the first month's rent and a damage deposit;
- (ix) an alternative affordable housing plan, which does not include a homeless shelter, if the original housing plan is unworkable;

Minn. Statutes sections [260C.203](#) (e)

- **(x) the child, if male, has registered for the Selective Service; and**
- **(xi) a permanent connection to a caring adult;**

Youth 14-17 years old:

- Review credit reports with youth.
- Youth with credit issues: Contact the credit agencies to assess the issue and pursue the appropriate response.
- Document in a SSIS case note the date the credit report was run and the actions taken to resolve issues.

Youth 18 years and older:

- Assist youth in obtaining their credit report yearly until discharged from foster care.
- Assist youth in resolving any inaccuracies and issues.
- Document in a SSIS case note the date the credit report was run, the actions taken to resolve any issues, and instances when youth refuse to cooperate.

Plan Required

- When a child is placed in foster care by court order, the responsible social services agency shall file with the court and provide to the parties and foster parents the out-of-home placement plan required under Minnesota Statutes, section [260C.212](#), subdivision 1.
- The out-of-home placement plan shall be filed with the court and provided to the parties and foster parents by the responsible social services agency within thirty (30) days of the court order placing the child in foster care, an order for protective care, or order transferring legal custody to the responsible social services agency, whichever is earliest.

Court review

- **Agency**
- 1. Reasonable or active efforts for reunification (what has the agency done to support the implementation of the case plan or out-of-home placement plan? Have the efforts been relevant to the safety and protection of the child, adequate, culturally appropriate, available and accessible, consistent and timely, and realistic?) See *Minn. Stat. § 260.012, subd. (h)*
- 2. Reasonable efforts to finalize the permanency plan for the child (has the agency provided services and support for both parents, completed the relative search and placement considerations, identified a Plan B, and concurrent permanency planning) See *Minn. Stat. § 260.012(e)*
- 3. If ICWA, active efforts to prevent the breakup of the Indian family

Court review

- **Parent**
- Progress on the case plan or out-of-home placement plan
- 1. Was parent involved in development of case plan?
- 2. Does parent understand and agree with goals and what services are being provided?
- 3. Are there barriers to receiving services?
- 4. Is the parent seeing the child regularly and is visitation meaningful (does it help learn appropriate parenting?)

Court review

- **Child**
- Well-being
- 1. Is child in Plan B home?
- 2. Has child received necessary developmental, health, mental health, trauma, and educational assessments?
- 3. Is the child receiving appropriate follow-up services?
- 4. How is the child doing in placement and in school?
- 5. If ICWA, is child placed according to the ICWA placement preferences?
- 6. Is the child placed with a relative?
- 7. Is the child visiting parents, siblings, and other relatives?

Review Hearings

- At least every 90 days as long as child is in foster care until there is permanency order
- At any review hearing:
 - 1. Child may be returned home if parent has made progress on case plan and mitigated unsafe conditions to the point home is safe for the child; or

Review Hearings

- At any review hearing:
- 2. If parent is not making significant progress on case plan, agency can move to permanency.
- Hearings review parent(s) progress on case plan, afford an opportunity to correct problems with services, and address barriers to reunification; also afford opportunity to ensure parent knows consequences to both parent and child of failure to comply with case plan.

Protective Supervision

- Place the child under the protective supervision of the responsible social services agency or child-placing agency in the home of a parent or legal custodian under conditions directed to correction of the child's need for protection or services:
- (i) the court may order the child into the home of a parent who does not otherwise have legal custody of the child, however, an order under this section does not confer legal custody on that parent;

Protective Supervision

- (ii) if the court orders the child into the home of a father who has not been adjudicated as such, the order shall require the alleged or presumed father to cooperate with paternity establishment proceedings regarding the child in the appropriate jurisdiction as one of the conditions prescribed by the court for the child to continue in his home; and

Protective Supervision

- (iii) the court may order the child into the home of a noncustodial parent with conditions and may also order both the noncustodial and the custodial parent to comply with the requirements of a case plan under subdivision 2; or

Transfer Legal and Physical Custody to Agency

- Transfer legal custody to a child-placing agency or the responsible social services agency, which shall have legal responsibility for the child's placement in foster care, including making an individualized determination of how the particular placement is in the child's best interests using the consideration for relatives and the best interest factors in Minnesota Statutes, section [260C.212](#), subdivision 2, paragraph (b); or

Trial Home Visit

- Order a trial home visit, as defined in Rule [2.01](#)(x), without modifying the transfer of legal custody to the responsible social services agency under subdivision 2(a)(2) of this Rule;
- When a child is on a trial home visit the timelines to attain permanency continue

Monitoring

- When a parent has complied with a case plan and the child is in the care of the parent, the court may order the responsible social services agency to monitor the parent's continued ability to maintain the child safely in the home under such terms and conditions as the court determines appropriate under the circumstances.

Additional Provisions

As part of the disposition order the court shall also:

- (1) approve or modify the plan for supervised or unsupervised visitation for the child's parent or legal custodian, relatives, and siblings of the child, if siblings are not in out-of-home placement together, as set out in the out-of-home placement plan; the court may set reasonable rules for visitation that contribute to the objectives of the court order and the maintenance of the familial relationship; the court may deny visitation when visitation would act to prevent the achievement of the court's disposition order or would endanger the child's physical or emotional well-being;

Additional Provisions

As part of the disposition order the court shall also:

- (2) review the case plan, make modifications supported by the evidence appropriate, and approve the plan;
- (3) order all parties to comply with the approved case plan;
- (4) incorporate into the order by reference the approved case plan and attach a copy of the plan only if it has been modified;

Additional Provisions

As part of the disposition order the court shall also:

- (5) give notice to the parent on the record and in writing of the requirements of Minnesota Statutes, sections [260C.204](#) and [260C.503](#); and
- (6) set the date and time for the admit/deny hearing pursuant to Rule [42](#).